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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,468	08/03/2001	Patrick M.Y. Waye	74430P001	7184

8791 7590 06/16/2005

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EXAMINER

AMINZAY, SHAIMA Q

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/922,468

Applicant(s)

WAYE ET AL

Examiner

Shaima Q. Aminzay

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 10 and 11 is/are rejected.
- 7) ☒ Claim(s) 2-9 and 12-23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## ***DETAILED ACTION***

### ***Response to Amendment***

The following office action is in response to Amendment, filed on April 25, 2005.

Claims 1-23 are pending.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action.

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States

1. Claims 1, 10, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Graham (Graham et al. U. S. Patent 5,697,067).

Regarding claim 1, Graham discloses a radio frequency communication system for communicating radio frequency data signals containing data to and from remotely located data devices (see for example, Figure 1, column 1, lines 4-9, column 3, lines 10-11, lines 60-67 continued to column 4, lines 1-11), said system comprising: a radiating transmission line (see for example, Figure1, column 3, lines 61-67); a head end unit comprising a system server lines (see for example, Figure1, column 4, lines 31-36), said head end unit being coupled to a

first end of the radiating transmission line (see for example, Figure1, column 4, lines 37-41); at least one regeneration amplifier connected to said transmission line for amplifying the data signals by demodulating the data signals to recover the data contained therein and modulating the recovered data into a regenerated radio frequency data signal containing the recovered data (see for example, Figure1 (regeneration (27, 24, 29)), column 4, lines 60-62 continued to column 5, lines 1-48), wherein the regenerated data signal is transmitted through the radiating transmission line at a power level permitting transmission (see for example, column 1, lines 66-67, and continued to column 2, lines 1-9) and radiation of the regenerated radio frequency data signal to the remotely located data devices within a coverage area of the regeneration amplifier (see for example, column 2, lines 10-24).

Regarding claim 10, Graham teach all the limitations of claim 1, and further, Graham teaches at least one linear amplifier connected to said radiating transmission line for amplifying data signals by filtering the data signals and then amplifying the data signals in a direction of travel (see for example, column 4, lines 20-25, column 5, lines 48-48, column 7, lines 66-67 continued to column 8, lines 1-15).

Regarding claim 11, Graham discloses in a radio frequency communication system for communicating radio frequency data signals containing data to and

from remotely located data devices (see for example, Figure 1, column 1, lines 4-9, column 3, lines 10-11, lines 60-67 continued to column 4, lines 1-11) through a radiating transmission line (see for example, Figure1, column 3, lines 61-67), a regeneration amplifier for amplifying the digital signals through the radiating transmission line (see for example, Figure1 (regeneration (27, 24, 29)), column 4, lines 60-61 continued to column 5, lines 1-48), said regeneration amplifier comprising: a demodulator for demodulating the data signals to recover the data contained therein (see for example, Figure1 (regeneration (27, 24, 29)), column 4, lines 60-61 continued to column 5, lines 1-48); a modulator for modulating the recovered data into a regenerated radio frequency data signal containing the recovered data(see for example, Figure1 (regeneration (27, 24, 29)), column 4, lines 60-61 continued to column 5, lines 1-48); an amplifier for amplifying the regenerated data signal for transmission through the radiating transmission line at a power level permitting transmission (see for example, column 1, lines 66-67, and continued to column 2, lines 1-9) and radiation of the regenerated radio frequency data signal to the remotely located data devices within a coverage area of the regeneration amplifier (see for example, column 2, lines 10-24).

***Allowable Subject Matter***

2. Claims 2-9, and 12-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims

***Response to Arguments***

Applicant's arguments filed April 25, 2005 have been fully considered.

3. Arguments with respect to claims 2-9, and 12-23 are moot in view of indicating that they are allowable subject matter.
4. Applicant's arguments with respect to claims 1, 10, and 11 are moot in view of the new ground(s) of rejection.

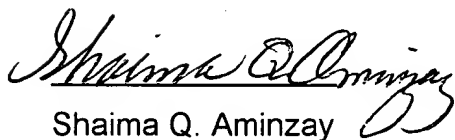
### **Conclusion**

The prior art made of record considered pertinent to applicant's disclosure, see PTO-892 form.

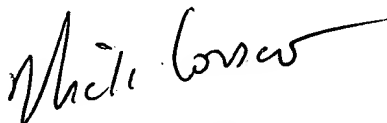
### **Inquiry**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 703-305-8723. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shaima Q. Aminzay  
(Examiner)



NICK CORSARO  
PRIMARY EXAMINER

Nay Maung  
(SPE)

Art Unit 2684

Jun 8, 2005